2026-01-23-Formal Notice of Systemic Misconduct, Retaliation, Due Process Violations, Fraudulent Records, and Ongoing Harm to Disabled Adult and Minor Child J-A-F - Re: SUBJECT: URGENT: This Matter Falls Under Your Direct Program Responsibility (Forwarding per Commissioner Lee's Autoresponse)

1 message

JR Fouts <icreateupwardspirals@gmail.com> Fri, Jan 23, 2026 at 6:53 PM
To: lisa.lee@ky.gov
Cc: "Slone, Edith (CHFS DMS DHPO)" <edith.slone@ky.gov>, "Verry, David S (CHFS DMS DHPO)" <david.verry@ky.gov>, Commonwealth Office of Ombudsman <kyombud@ky.gov>, lisa.lee@ky.gov, chfs.communications@ky.gov, dcbs.info@ky.gov, dms.info@ky.gov, dail.info@ky.gov, oig.help@ky.gov, dcbs.childprotection@ky.gov, dcbs.family.support@ky.gov, dcbs.childcare@ky.gov, dms.medicaid@ky.gov, dms.providerservices@ky.gov, dms.memberinfo@ky.gov, kristy.brandenburg@ky.gov, eric.friedlander@ky.gov, lesa.dennis@ky.gov, aps@ky.gov, victoria.bingham@ky.gov, waiverhelpdesk@ky.gov, chfsoig@ky.gov, chfsopenrecords@ky.gov, CHFS Listens <chfs.listens@ky.gov>, John Fouts <fouts.john@gmail.com>, Illuminating Injustice <illuminatinginjustice@thecriminalcommonwealth.com>

Date: 2026-01-23

Lisa D. Lee, Commissioner

Kentucky Cabinet for Health and Family Services (CHFS)

275 E. Main Street

Frankfort, KY 40621

CC:

David Verry, CHFS

Relevant CHFS department heads in DMS, DCBS, APS, and CPS/KVC

Date: 2026-01-23

Subject: Formal Notice of Systemic Misconduct, Retaliation, Due Process Violations, Fraudulent Records, and Ongoing Harm to Disabled Adult and Minor Child J-A-F

Commissioner Lee,

I am submitting this formal notice regarding extensive, ongoing violations by multiple divisions under the Kentucky Cabinet for Health and Family Services (CHFS).

This letter documents systemic misconduct that has resulted in serious harm to me and ongoing harm to my minor child, J-A-F, legal name Jaqquelyn A. Fouts.

The issues listed here are not exhaustive. They represent only a portion of the wrongdoing that continues to occur.

Immediate corrective action, accountability, and restitution are required.

1. Medicaid Eligibility, Retroactivity, and Reimbursement Failures

A. CHFS and DCBS have refused to reinstate Medicaid coverage for me and for J A F, even though I am disabled under Title II SSDI and on Medicare, and even though J A F qualifies as the child of a disabled worker. This violates federal Medicaid law.

B. CHFS staff stated in writing that no medical expenses would be used prior to my hearing and that I would not be reimbursed for medically necessary services that Medicaid should have covered. This is not lawful.

C. CHFS has refused to apply retroactive Medicaid coverage back to June 30, 2022, the documented onset of disability, and refuses to recognize my federal disability status under SSA SSDI TITLE II.

D. CHFS has refused to apply shelter expenses, even though I was unlawfully evicted without cause and am still displaced, and have had to cover the full cost of shelter while displaced. These expenses are real, ongoing, and documented.

2. Fraudulent Records, Falsified Information, and Refusal to Correct Errors

A. CHFS continues to maintain records that falsely state I am not disabled and not on Medicare. These false records are then used to deny benefits and protections. Deprivation of federal benefits under color of law is unlawful.

B. CHFS refuses to correct my child's legal name. The correct full legal name is Jaqquelyn A. Fouts. CHFS has been notified many times. SSA has also notified CHFS yet CHFS refuses to make the change.

C. CHFS provided record sets that contained embedded malicious payloads and then refused to provide clean sets. This created safety and data security risks. Especially since I am already dealing with the ongoing situation involving multiple data breaches involving compromise of my social security number, health data, national identity information etc…

3. IVIG Appeal Misconduct

CHFS and DMS have claimed that no IVIG appeal existed. I am in possession of the appeal denial issued on CHFS/DMS letterhead. This suggests concealment or destruction of appeal documentation.

4. Fraudulent Medicaid Waiver Evaluation

CHFS claims I received an evaluation supporting waiver termination. No real evaluation ever occurred beyond a brief five-minute interaction in which I told the nurse that my condition had worsened. The written evaluation does not reflect reality and is fraudulent.

5. Adult Protective Services Misconduct

Mandated reporter submissions to APS are missing from the official CHFS records, even though I have a copy of at least one such report. APS and Kentucky Protection and Advocacy staff also stated that no report exists. This indicates destruction or concealment of required documentation.

6. Fraudulent CPS Report and Conflict of Interest

The CPS report contains multiple false statements. One major example is that the report suggests a restraining order was issued against me, even though the actual court document in the file clearly shows I obtained the order for protection of myself and J A F.

CHFS has refused every request to correct or amend these false records.

Additionally, the CPS process involved a significant conflict of interest. The chain appears to have been:

1. A Norton provider filed the report.

2. CHFS assigned it to KVC, a contracted third party.

3. KVC outsourced the evaluation to Norton Pediatric Protection Services.

This means Norton evaluated its own referral. This is not acceptable or impartial.

The case was marked unsubstantiated even with the false information, which indicates how unsupported the allegations were.

7. Witness Documentation of Retaliation and Discrimination

Multiple third party professionals have documented retaliation against me, discrimination, disparate treatment, refusal to follow policy, and other forms of misconduct. These independent accounts corroborate a systemic pattern of abuse.

8. Housing and SNAP Misconduct Under CHFS and DCBS

CHFS and DCBS refused to apply my disability status, Medicare status, medical expenses, or shelter expenses. CHFS/DCBS put in writing that no medical expenses would be considered before the hearing, which violates federal SNAP law.

9. Pattern of Retaliation and Bad Faith

Across CHFS divisions, there has been refusal to communicate, refusal to correct records, refusal to process lawful benefits, refusal to provide required documentation, and refusal to acknowledge federal protections.

There is no lawful, factual, or justifiable explanation for the way we have been treated.

There is no cause.

The pattern shows systemic bad faith.

10. Damages

The failures and ongoing refusals by CHFS have caused major harm, including:

Significant out of pocket medical expenses

Loss of disability based protections

Ongoing displacement and housing instability with CHFS full knowing that three physicians in separate practices in separate specialty areas at separate groups have stated directly in writing the safe stable and secure housing is an ADA accommodation that's required for me.

Interruption of medically necessary care

Release of malware infected records

Psychological and physical harm

Ongoing safety risks for me and for J A F

Immediate Action Requested

I request the following:

1. Immediate reinstatement of Medicaid for me and for J A F. along with notification to Humana that JAF must be retroactively Re-enrolled with all claims re-processed and resubmitted.

2. Retroactive Medicaid application review and recalculation of all federal benefits, lawfully and while upholding federal law, back to June 30, 2022 - including all expenses.

3. Immediate correction of my disability and Medicare status to reflect reality accurately and factually. My date of disability onset was June 30, 2022. SSA has verified this repeatedly.

4. Correction of J A F's legal name across all CHFS systems to Jaqquelyn A. Fouts, along with explanation for all prior refusals.

5. Release of clean, non corrupted records immediately upon receipt along with explanation as to why they have not been produced as of today.

6. Correction and formal amendment of fraudulent CPS and APS documentation immediately, including restoration of the removed or deleted mandated reporter reports as well as removal of all fraudulent information in the cps report. Must also include disseminating a statement of error for not allowing correction previously and formal full blast statement declaring all allegations were found to be unsubstantiated to all agencies. There is no way to undo the extraordinary damage done by the current situation. The damage and harm is severe, permanent, and irreparable.

7. Reimbursement of all Medicaid covered medical expenses wrongfully denied including those related to treatment by the only provider in the US treating Long Covid and Microclots with letter of attestation stating as as such previously provided repeatedly along with CHFS written explanation as to why denied by CHFS to date.

8. A written explanation for these failures and refusals for each point and identification of responsible personnel including office, name, supervisor, email, fax and phone for each.

9. Immediate cessation of retaliation and discriminatory treatment and explanation by the CHFS OIG as to why that office has continued to maintain silence as opposed to actually investigating all of the ongoing wrongdoing leading to ongoing and further compounding, severe, irreparable harm.

I also request and demand access to disability right so organizations, and all relevant victims services, rights, and protections.

Additionally, I request a written letter of apology and a letter of explanation from the Commonwealth of Kentucky to both me and my child for why we have been treated the way we have and for how we have been treated the way we have And to help explain the overall situation.

Conclusion

This letter represents only part of the misconduct and violations that continue to occur under CHFS oversight. The damage has been severe and ongoing and is extensive severe permanent and irreparable.

Written confirmation of receipt and a description of corrective actions are required within two Business days of receipt of this message.

Sincerely,

/s/ John R. Fouts

John R. Fouts, MBA

Founder, Upward Spirals Association 508(c)(1)(A) Faith-Based Organization (RFRA-Protected)

Son of a living Vietnam War–Era Veteran

Nephew of a deceased Vietnam War Veteran (U.S. Army)

Nephew of a living U.S. Air Force Veteran (U.S. Air Force)

Federally Protected Disabled Individual

SSDI Recipient

Protected under the ADA, Section 504, VAWA, Olmstead, and 42 U.S.C. § 1915(c)

HUD Mainstream Housing Choice Voucher Holder

PRIMARY EMAIL (ADA-REQUIRED): icreateupwardspirals@gmail.com

ALTERNATE EMAIL: illuminatinginjustice@thecriminalcommonwealth.com

— ADA & COMMUNICATION NOTICE —

Pursuant to the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, written communication is a REQUIRED accommodation.

Permitted communication methods:

• Email

• Text message (SMS)

Telephone calls, voicemails, and verbal-only communications are NOT accessible and are not permitted.

Where feasible, communications must use a minimum 16-point font.

Due to documented mail interference, certified mail is additionally required for all formal correspondence, in parallel with email.

Other required accommodations may be found in physician documentation previously sent and copies may be requested of such physician documentation and furnished upon request.

LEGAL RECORD & PRESERVATION NOTICE

This communication, together with all prior and subsequent correspondence by any medium or mode, is incorporated by reference and constitutes part of a continuous factual and legal record.

All metadata, headers, routing information, logs, authentication data, and system records associated with this communication must be preserved.

——— EVIDENCE & NOTICE ———

Public preservation archive:

https://archive.org/details/@jfouts1979

Primary evidence repository (direct URL access required):

https://thecriminalcommonwealth.com

Additional evidentiary materials exceeding public limits are available upon request.

———————————— RESERVATION OF RIGHTS ————————————

All rights, remedies, claims, and protections are expressly reserved.

No waiver is intended or implied.

———————————— DECLARATION ————————————

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the factual statements contained herein are true and correct to the best of my knowledge and belief.

On Tue, Jan 20, 2026 at 8:19 AM Verry, David S (CHFS DMS DHPO) <david.verry@ky.gov> wrote:

> Good Morning Mr. Fouts,
>
> I am writing to inform you that we were able to confirm your address and therefore Jack is now Medicaid eligible beginning January 1 ongoing. If you have a particular Managed Care Organization that you would like Jack enrolled in, please do not hesitate to reach out to me. Each MCO offers a different selection of Value Added Benefits—all a no cost to you. Here is a link: https://khbe.ky.gov/About/Documents/2026-KY-DMS-MCO-VAB-side-by-side.pdf
>
> Your SNAP case pends for optional verification of shelter expenses. If you provide documentation for this, then that will complete you SNAP case. If you do not return this documentation then your SNAP benefits

will be calculated based on a lower amount without this deduction.

Please reach back out if you have any questions at all,

Kindly,

TEAM KENTUCKY
CABINET FOR HEALTH AND FAMILY SERVICES

David Verry (he/him)
Assistant Director

Cabinet for Health and Family Services (CHFS)

Department for Medicaid Services (DMS)

Division of Health Plan Oversight (DHPO)

Email: David.Verry@ky.gov

Cell: 502-892-9120 Phone: 502-564-3398
My working hours are M-F 8:00am to 4:30pm EST

From: Verry, David S (CHFS DMS DHPO) <david.verry@ky.gov>
Sent: Friday, January 16, 2026 2:56 PM
To: icreateupwardspirals@gmail.com
Cc: Slone, Edith (CHFS DMS DHPO) <edith.slone@ky.gov>

Subject: RE: SUBJECT: URGENT: This Matter Falls Under Your Direct Program Responsibility (Forwarding per Commissioner Lee's Autoresponse)

Mr. Fouts,

I have created this timeline indicating Medicaid eligibility since 2022 for you and your child. This hopefully provides more detail. SNAP eligibility information is also provided below.

Jack's Medicaid eligibility is currently pending for residency because we are unsure as to your address. This is client statement so you do not need to send us a proof of address or anything—please simply tell us (me) what your current address is and we can make that update. I will then gladly let you know what else is needed if anything for Medicaid eligibility.

John Case 112868494: Medicaid Approved Adult Medicaid (ADLT) 7/1/22-8/31/22

John Case 112868494: Medicaid Approved Parent/Caretake Medicaid (PACA) 9/1/22-12/31/23

John Case 112868494: Medicaid Approved SSI Medicaid (SSIR) 1/1/24-5/1/24

John Case 112868494: Medicaid Approved Ex Parte Medicaid—after SSI ends (EXPT) 6/1/24-7/31/24

John Case 112868494: Medicaid Denied Long Term Care Medicaid (LTCM) 8/1/24-8/31/25: Eligibility discontinued for level of care (meaning not in a nursing home or receiving similar services) not being met.

John Case 112868494: Medicaid Denied Aged, Blind, Disabled Medicaid (ABDM) Denied for income exceeding $235. Medicare Savings Program (MSP QI-1) denied income exceeds $1761.00

Jack Case 112868494: Medicaid Approved Child Medicaid (CHL3) 7/1/22-7/31/22

Jack Case 112868494: Medicaid Approved Child Medicaid (CHL4) 8/1/22-12/31/22

Jack Case 112868494: Medicaid Approved Child Medicaid (CHEX) 1/1/23-2/28/23

Jack Case 112868494: Medicaid Approved Child Medicaid (CHL4) 3/1/23-4/30/23)

Jack Case 113242894: Medicaid Approved SSI Medicaid (SSIR) 5/1/23 – 6/30/24)

Jack Case 113242894: Medicaid Approved Continuous Coverage Medicaid (SSIR) 7/1/24 – 4/30/25)

Jack Case 113242894: Medicaid Approved Ex Parte Medicaid—after SSI ends (EXP) 5/1/25 – 6/30/25)

Jack Case 113242894: Medicaid Denied Ex Parte Medicaid ends (5/1/25 ongoing)

Jack: Medicaid Approved Child Medicaid (CHL3) currently pending residency which is client statement.

SNAP: Eligibility Approved 7/1/22-11/30/24

SNAP: Eligibility Discontinued for exceeding net income limit.

SNAP: Eligibility Approved 7/23/25-ongoing.

Kindly,

TEAM KENTUCKY
CABINET FOR HEALTH AND FAMILY SERVICES

David Verry (he/him)
Assistant Director

Cabinet for Health and Family Services (CHFS)

Department for Medicaid Services (DMS)

Division of Health Plan Oversight (DHPO)

Email: David.Verry@ky.gov

Cell: 502-892-9120 Phone: 502-564-3398
My working hours are M-F 8:00am to 4:30pm EST

From: Slone, Edith (CHFS DMS DHPO) <edith.slone@ky.gov>
Sent: Friday, January 16, 2026 7:57 AM
To: Verry, David S (CHFS DMS DHPO) <david.verry@ky.gov>
Subject: FW: SUBJECT: URGENT: This Matter Falls Under Your Direct Program Responsibility (Forwarding per Commissioner Lee's Autoresponse)

From: JR Fouts <icreateupwardspirals@gmail.com>
Sent: Friday, January 16, 2026 1:56 AM
To: dawal.clark@ky.gov; Slone, Edith (CHFS DMS DHPO) <edith.slone@ky.gov>; Parker, Angela W (CHFS DMS DQPH) <angelaw.parker@ky.gov>; Dudinskie, Jennifer M (CHFS DMS DPI) <Jennifer.Dudinskie@ky.gov>; Hoffmann, Leslie H (CHFS DMS) <leslie.hoffmann@ky.gov>; Richardson, Amy P (CHFS DMS DFM) <amy.richardson@ky.gov>; Dearinger, Justin A (CHFS DMS DHCP) <Justin.Dearinger@ky.gov>
Subject: SUBJECT: URGENT: This Matter Falls Under Your Direct Program Responsibility (Forwarding per Commissioner Lee's Autoresponse)

Date: 2026-01-16

SUBJECT: URGENT: This Matter Falls Under Your Direct Program Responsibility (Forwarding per Commissioner Lee's Autoresponse)

Good morning,

Per Commissioner Lisa Lee's automatic reply, I am forwarding the attached communication because the issues described fall under multiple CHFS divisions, including:

- Managed Care oversight (Humana continues to deny federally mandated coverage)
- Eligibility policy and name/identity data integrity failures
- Quality and compliance issues
- Home and Community Based Waiver systemic errors
- Reimbursement failures and open-records noncompliance
- Medicaid coverage policies
- Records errors originating in 2023 impacting CPS/DCBS systems
- Long-term denial of ADA, Section 504, 1915(c), and Olmstead rights

These failures have resulted in:

1. **Unlawful Medicaid termination**,
2. **Denial of medically necessary care**,
3. **Forced displacement**,
4. **Corrupted state/federal transmittal data**, and

5. **Documented retaliation and mail interference**, all of which remain ongoing and continue to escalate today.

Because these errors span eligibility, managed care, waiver services, reimbursement, policy, and oversight functions, **each of your units has direct jurisdiction over at least part of the harm described.**

I am requesting:
• Immediate correction
• Retroactive reinstatement to June 30, 2022
• Full OIG-level audit
• Identification of assigned personnel
• Case numbers for each division receiving this communication

Under disability law, I require written communication only. Please review the attached letter and confirm next steps.

Sincerely,
John R. Fouts
(ADA/504/1915(c)/Olmstead–protected beneficiary)

On Fri, Jan 16, 2026 at 1:47 AM JR Fouts <icreateupwardspirals@gmail.com> wrote:

> **ATTENTION ALL COPIED - THIS EMAIL IS RELEVANT TO ALL OF YOU:**
>
> ---------- Forwarded message ---------
> From: **JR Fouts** <icreateupwardspirals@gmail.com>
> Date: Fri, Jan 16, 2026 at 1:43 AM
> Subject: 2026-01-16-SUBJECT: Re: Medicaid / Immediate Corrective Action Required (Response to Your 1/13/26 Email)-JR-Fouts
> To: Verry, David S (CHFS DMS DHPO) <david.verry@ky.gov>
> Cc: John Fouts <fouts.john@gmail.com>, Illuminating Injustice <illuminatinginjustice@thecriminalcommonwealth.com>, <lisa.lee@ky.gov>, <audrey.haynes@ky.gov>, <adam.mather@ky.gov>, <chfsoig@ky.gov>, <marta.miranda@ky.gov>, <dcbs.info@ky.gov>, <kymedicaid@humana.com>, <compliance@humana.com>, <executiveescalations@humana.com>, <govoffice@ky.gov>, <ASETT@cms.hhs.gov>
>
> Date: 2026-01-16

SUBJECT: Re: Medicaid / Immediate Corrective Action Required (Response to Your 1/13/26 Email)

Mr. Verry,

Your response is non-responsive to the substance of my January 7, 2026 notice, incorporated fully by reference. The issues outlined are *not* limited to a routine address update, nor to SNAP status—which you incorrectly state is “approved with nothing pending.” All items in my January 7th notice remain pending, unaddressed, and require *immediate corrective action*.

To prevent further delay, I will restate the critical points requiring action:

1. The full scope of retroactive eligibility, reinstatement, reimbursement, federal entitlement calculations, audit obligations, record-correction mandates, ADA requirements, and OIG investigative referrals must be completed as outlined in my letter.
   Your email did not address a single one of these required corrective items.
2. Confirming my address is not the issue.
   My address has been repeatedly provided since April 2025 and remains improperly handled by CHFS, DCBS, DMS, and MCO systems. The correct address is:
   184 Cedarview Dr., Shepherdsville, KY 40165.
   This is one correction among dozens - not a substitute for full compliance.
3. SNAP is *not* “approved with nothing pending.”
   You cannot lawfully state this while the state continues to refuse mandatory medical deductions under federal law (7 CFR §273.9(d)(3)), refuses retroactive recalculation dating to 6/30/22, and refuses correction of improperly classified income and benefits interruptions.

These issues *are* pending—because CHFS has not done the required work.

4. You did not address:
   • retroactive reinstatement back to June 30, 2022
   • unlawful Medicaid termination
   • Medicare misclassification
   • the Humana-directed compliance letter you are required to send
   • the CPS fraud investigation request
   • the mandatory OIG and Audit & Investigation case openings
   • provision of investigator names, contact information, and case numbers
   • ADA Title II communication requirements
   • mail tampering indicators and systemic address corruption
   • divergence of records since November 2023
   • identity contamination, eligibility misrouting, and cross-agency failures
   • retroactive reimbursement for medically necessary care I had to self-fund
   • the absence of a functional fair hearing system in Kentucky

   None of these items can be ignored or minimized.

5. Your email does not satisfy CHFS obligations under federal law.
   CHFS cannot reduce federally mandated corrective action to a single-sentence request for address confirmation.

Accordingly, I require written confirmation that:

• You have forwarded my full January 7, 2026 notice (and all attachments) to:
- CHFS Office of Inspector General (OIG)
- CHFS Department of Audits & Investigations

- DFS/CPS investigative leadership
- Humana (including executive-level notification)

• Formal investigation numbers, assigned investigator names, and full contact information will be provided without delay, as required.

• Retroactive eligibility, reimbursement, and audit processes have been initiated, not merely “noted.”

As stated in my sworn declaration under 28 U.S.C. §1746: All statements and evidence submitted are true and correct. Nothing is withdrawn. Nothing is waived.

I will await your full written response addressing *all* items in the January 7th notice.

Respectfully,
John R. Fouts
(All rights reserved)

On Tue, Jan 13, 2026 at 11:23 AM Verry, David S (CHFS DMS DHPO) <david.verry@ky.gov> wrote:

> Good Morning Mr. Fouts,
>
> For your son’s Medicaid approval we need to confirm that your address is 184 Cedarview Dr., Shepherdsville, KY 40105. Ican make that update for you if you can kindly confirm or provide your current address and mailing address if different.
>
> SNAP is already approved with nothing pending.
>
> I look forward to hearing from you
>
> TEAM KENTUCKY
> CABINET FOR HEALTH AND FAMILY SERVICES
>
> **David Verry** (he/him)
> **Assistant Director**
> Cabinet for Health and Family Services (CHFS)
> Department for Medicaid Services (DMS)
> Division of Health Plan Oversight (DHPO)

Email: David.Verry@ky.gov

Cell: 502-892-9120 Phone: 502-564-3398
My working hours are M-F 8:00am to 4:30pm EST

From: John Fouts <fouts.john@gmail.com>
Sent: Wednesday, January 7, 2026 7:07 PM
To: Verry, David S (CHFS DMS DHPO) <david.verry@ky.gov>
Cc: Illuminating Injustice <illuminatinginjustice@thecriminalcommonwealth.com>; Icreateupwardspirals@gmail.com
Subject: 2026-01-07-Immediate-and-Retroactive-Correction-Required-Medicaid-Eligibility-Retroactive-Reinstatement-and-Coverage-and-Ongoing-Continuing-Systemic-Errors-Re: Medicaid

****CAUTION** PDF attachments may contain links to malicious sites. Please contact the COT Service Desk ServiceCorrespondence@ky.gov for any assistance.**

Date: January 7, 2026

Subject: Immediate and Retroactive Correction Required – Medicaid Eligibility, Systemic Violations, Data Integrity Failures, Ongoing Harm, and Formal Request for Multi-Division Investigation

Good afternoon Mr. Verry,

Thank you for your message. I am responding ***in writing***, as required under my ADA Title II communication accommodations, and appreciate you communicating in writing as well.

Your outreach is appreciated, but the issues at stake are not limited to a routine case update, by any way, shape, or form...

What has occurred to me and my child, **Jaqquelyn A. Fouts (formerly Jack A. Fouts, herein referenced as minor child JAF and/or by nickname "Jackie")**, reflects longstanding, systemic, cross-agency failures and refusals to update or make corrections that have caused—and continue to cause—***severe, compounding harm across medical, financial, housing, and legal domains.***

These errors are not clerical; they are structural, federally significant, and in many cases unlawful.

I must therefore document several mandatory items that CHFS/DMS/DCBS must correct ***immediately***, and that must be ***submitted immediately for investigation by the CHFS Office of Inspector General and the CHFS Department of Audit and Investigation, with full federal oversight engagement.***

I. Name Correction – Mandatory and Retroactive

My child's legal name is **Jaqquelyn A. Fouts**.
Not "Jack," not "Jacq…," not any altered variant.

SSA transmitted the corrected name in September 2025. CHFS, DCBS, and Humana have refused to correct it despite this communication directly from SSA and despite notice from me.

This failure and refusal has already contributed to, at least in part:

• Coverage denial
• Misdirected mail
• Claim rejections
• Data integrity errors
• System-level mismatches
• Identity-based discrimination

The correction must be completed immediately **and retroactively applied**. All items noted remain ongoing issues, and as stated, escalating and compounding daily.

II. Neither Jackie nor I Should Ever Have Been Terminated From Medicaid

Under federal law, Jackie qualifies for Medicaid in two independent ways:

1. **As a disabled child under SSI, and**
2. **As the child of a disabled worker under Title II SSDI, beginning June 30, 2022.**

These are federal entitlements, not discretionary benefits for the state to determine...

Termination of Jackie's Medicaid:

• Occurred without lawful cause,
• Occurred without federally mandated proper notice,
• Violated Title II, Title XIX, 42 CFR requirements, and continues to do so,

• Violated Section 504, and continues to do so,
• Violated ADA Title II, and continues to do so,
• Violated Due Process, and continues to do so,
• Occurred while we were in a period of unlawful forced displacement without cause despite possessing a valid and unexpired Mainstream Voucher and dealing with medical fragility, and we remain displaced and dealing with complex medical issues including my own medical fragility as evidenced directly from the physician letter from Dr. Vaughn attached.

So there is absolutely no confusion. The Supremacy Clause states that federal law supersedes state policy.

So there is not even a remote possibility of misunderstanding, stated directly, ***that means CHFS cannot lawfully deny federally guaranteed benefits.***

III. My Medicare Status Has Been Wrongly Classified for Over a Year Despite Repeat Notices I've Provided CHFS

I have been on Medicare since December 2024.

CHFS continues to send notices implying I "may soon be eligible for Medicare," a data-integrity failure and a separate refusal to correct that demonstrates:

• Ongoing is handling of SSA data feeds
• Refusal to apply federal transmittals on an ongoing basis
• System corruption or record contamination that CHFS refuses to address and remains ongoing,
• Ongoing eligibility misclassification

This must be corrected **across all CHFS systems and done so immediately, including retroactive continuity of coverage and reimbursement for medically necessary expenses I was forced to pay out of pocket. This also includes calculating SNAP benefits retroactively whilst properly deducting medical expenses instead of refusing to do so for every month from June 30, 2022 to the present date.**

IV. Wrong Address Use, Mail Tampering Indicators, and ADA Violations

My correct address has been provided repeatedly since April 2025, we have not had a stable address until August 2025 at which time my parents agreed to temporarily let us stay in their living room. We remain forcibly displaced without cause with other state agencies also refusing to address. Since August 2025, I have repeatedly provided CHFS with our current address which is not updated nor reflected in the system apparently - showing even further refusal to keep correct and accurate records by the state.

CHFS/DCBS/other state agencies and even Humana continue to:

• Use incorrect or outdated addresses leading to delays in time-sensitive mailings
• Send federally required notices to the wrong locations due to ongoing refusal to use current mailing address notified of repeatedly
• Send mail with visible tamper indicators without explanation or follow-up
• Delay mail by 23+ days in repeat mailings - which is completely unacceptable considering Frankfort is less than 1 hour from Shepherdsville in driving distance - it is

unexplainable by USPS standards
• Repeatedly ignore my ADA accommodations, and refusing to accommodate me as a disabled person despite multiple physician letters, requiring written communication only among other accommodations

Ongoing mail discrepancies have been reported to federal authorities.
This is now part of a pending matter.

V. Medical Expense Deductions Have Been Repeatedly and Unlawfully Refused

My SNAP calculations have never properly reflected, and CHFS has outright refused to follow FEDERAL LAW:

• My substantial medical expenses
• Documented complex, chronic illness, and my child's complex and chronic illness issues
• Disability-related pharmacological needs that are individualized due to multiple diagnoses and comorbidities
• Out-of-pocket costs resulting from unlawful benefit terminations

Kentucky's refusal to include mandatory deductions violates:

• Federal SNAP law
• CHFS policy manuals
• 7 CFR § 273.9(d)(3)

I am once again, requesting a full audit, dating back to June 30, 2022, which is the date of disability onset per SSA and SSDI Title II.

VI. Retroactive Review and Reinstatement Required Back to June 30, 2022

Nothing less than complete retroactive reinstatement, correction, and reimbursement is acceptable - a 3 month window when damage incurred spans over 3 years is completely unacceptable.

This includes:

• All denied months and/or miscalculated months (full audit and review)
• All periods of wrongful termination (full audit and review)
• All failures and refusals to properly calculate, according to federal law, required medical deductions (full audit and review)
• All incorrect income calculations (full audit and review)
• All unlawful interruptions of entitlement (full audit and review)
• All records contaminated, altered, or misrouted (full audit and review)
• All claims improperly denied by Humana (full audit and review)

This incorporates by reference all records over the entire time period, for full audit and review, spanning from June 30, 2022 to the present. All communications of any kind transmitted to CHFS by any mode or means, are incorporated by reference herein.

CHFS OIG and the Department of Audits and Investigations have full jurisdiction and must open formal case files immediately. Once opened, I must be provided with investigation numbers (not consumer complaint - but actual investigation numbers), names of contacts, mailing addresses, emails, phones, and faxes

as point contacts within each office. I must also be kept apprised of the progress that occurs within each formal investigation.

VII. Record Divergence and System-Level Data Corruption

The divergence between my record and my child's record seemingly began in **November 2023**, or at least became more pronounced and magnified at that time, when I became eligible for the Medicaid Waiver program and CHFS/DCBS suddenly removed my ability to access Jackie's case, and refused to give me the case number for Jackie for a long time, and finally stated that they could not attach Jackie's case number to mine - which is a false statement. I also had to go through an entirely new verification process to once again prove that I am Jackie's dad, however, even that did not work. I tried to resolve over a period of many months and for dozens of hours at that time only for no resolution to occur.

Attempts to correct it were repeatedly refused and mishandled.

This divergence, combined with identity contamination across CHFS/DCBS/Humana systems, continues to produce:

• Incorrect custody representations which continue to cause ongoing harm,
• Incorrect eligibility determinations, causing ongoing harm,
• Incorrect addresses leading to identity discrepancies and causing additional harm,
• Incorrect identity fields, leading to further ongoing harm,
• Improper removal of benefits, leading to even further and additional compounding of severe harm,
• Wrong classification of Medicare status which at this point is

seemingly very intentional on the behalf of CHFS despite multiple notices over many months of my eligibility and start date of Medicare,
• Operational refusals across multiple agencies with refusals of any and all corrections

I am requesting an immediate full data-integrity audit of my and my child's case files.

VIII. Formal Incorporation of All Prior Communications

All prior emails, complaints, attachments, filings, evidence submissions, witness statements, medical documentation, ADA notices, appeal attempts, and certified mailings are hereby:

Incorporated by reference into this document in full, as though restated herein.

Nothing is waived.
Nothing is superseded.
Nothing may be omitted from the investigative record.

IX. ADA Communication Requirement

Under ADA Title II:

I require all communications in writing only.

This includes:

• Email
• Text message
• Extra Copy Sent Certified mail

• No voice calls or voicemail as those are not ADA Compliant for me and any voicemails or voice calls made with messages left will not be returned

This requirement applies immediately and retroactively as previously repeatedly noted to all CHFS, DCBS, DMS, OIG, and all Audit personnel.

X. Fraudulent CPS Report – Formal Request for Investigation

Because CPS/DFS operates under CHFS authority, I am formally additionally requesting immediately:

An OIG investigation into the fraudulent CPS report filed against me that I later learned had been open for nearly two years without me being notified and ultimately being closed as unsubstantiated, but with many extremely provably fraudulent and harmful statements included still available to agencie, including:

• False statements, extreme defamation of character based on provably fraudulent information
• Misrepresentations, again based on provably fraudulent information,
• Systemic errors, with refusal to make any correction or allow any addition, addendum, or supplemental document to correct the fraud,
• Extreme and severe harm already caused and ongoing, and
• Ongoing, compounding harm resulting from its continued existence, without any remedy or redress.

This fraudulent report remains a large source of measurable, compounding, and escalating irreparable damage.

XI. CHFS Must Contact Humana Immediately and Copy Me

You must notify Humana in writing—and copy me—that:

• Jackie's termination was unlawful, in writing, not a mistake - as it was 'not' a mistake, and was clearly intentional,
• Jackie's eligibility is federally guaranteed, and cannot be taken away per notes above,
• Humana must immediately correct all data, including name change, and claims coverage, and reinstate coverage retroactively, so there is no gap or lapse in coverage,
• Humana must reprocess all denied claims immediately including retroactively,
• Humana must apply the correct legal name of my child to Jaqquelyn A. Fouts immediately,
• Humana must comply with federal requirements governing MCO conduct, and must comply with all federal laws.

Additionally, the Board of Directors for Humana must be notified, as well as the CEO and COO of Humana directly, and I must be copied on all correspondence to ensure the accuracy and compliance of all documentation presented forthwith related to all matters pertaining to me or my child.

CHFS must enforce compliance by its contracted MCOs.

XII. Written Apologies Required

Given the severity, duration, and persistence of harm, I am formally requesting:

• A written apology addressed to me, and
• A written apology addressed to my child, **Jaqquelyn A. Fouts**,

Acknowledging:

• Unlawful deprivation of benefits, and acknowledging the damage done that continues to compound daily,
• Forced displacement without cause and additional ongoing compounded harm from that ongoing situation,
• Medical harm which is severe including not being able to get medically necessary treatments due to ongoing refusals of records corrections by multiple institutions and medical providers of which Humana has direct dealings with related to both Jackie and myself,
• Denial of ADA rights on an ongoing basis, denial of 504 rights on an ongoing basis,
• Identity-record contamination,
• Refusal to follow federal law,
• The ongoing consequences we continue to endure

XIII. Absence of a Functional Fair Hearing System in Kentucky

Kentucky's "fair hearing" process is not operational in any meaningful sense.
I have multimedia documentary (audio/transcript/written/email/etc...) evidence showing:

• Hearing requests are ignored, hearing request unlawfully closed without notice, hearing requests consolidated that were not regarding the same issue with the issues consolidated dropped or treated as non-existent,
• Due-process notices are absent,
• Appeals are never processed, or worse stated as non-existent even with documentation on state letterhead from the state itself (again...irrefutable objective documentary evidence)...
• Retaliation occurs when rights are asserted by multiple

agencies or groups, and the unwillingness of legal aid to assist repeatedly.

Therefore, CHFS cannot rely on the fair-hearing mechanism to satisfy federal due-process obligations. Administrative remedies are unavailable and thus exhausted by denial.

XIV. Full Contact Information Required for All Investigations

Please provide in writing the full contact information for:

• CHFS OIG investigators assigned (name, mailing address, phone, fax, email, txt message, case number, investigation number, transaction number, or any other reference)
• Department of Audit & Investigation personnel (name, mailing address, phone, fax, email, txt message, case number, investigation number, transaction number, or any other reference)

• Any federal liaison or oversight office engaged (name, mailing address, phone, fax, email, txt message, case number, investigation number, transaction number, or any other reference)

• DFS/Child Protective Services investigative contacts (name, mailing address, phone, fax, email, txt message, case number, investigation number, transaction number, or any other reference)

For each, include:

• Full name
• Title
• Email
• Mailing address

• Direct phone
• Fax
• Text-capable number (if available)

as well as any case number, investigation number, transaction number, or any other reference, department name, employee title, employee department, verification of employee department and credentials, and any other helpful information in addition to stated items.

XV. Ongoing, Escalating, and Compounding Harm

The harm described is not historical—it is current, active, escalating, and life-threatening...that is not an exaggeration...

I remain medically fragile and am actively being denied life-preserving care because of CHFS/DCBS/DMS systemic failures.

My child continues to suffer consequences that never should have occurred.

Time is of the essence, and immediate action is required and immeditely merited.

XVI. 28 U.S.C. § 1746 Sworn Declaration

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief. Executed on January 7, 2026.

Please acknowledge, immediately upon receipt, and confirm action for all items noted.

Attachments:

ADA Letter from Dr. Brown - GSDPC (462K)

ADA Letter from Dr. Warren Shaikun (198K)

ADA Letter and Medical Fragility Letter from - Dr. Jordan Vaughn (includes notes on violations of law) (198K)

Witness and Character Reference Letter from Nurse Whitney Petters, RN (208K)

With Expectations of Immediate Resolution,

/s/ **John R. Fouts**

John R. Fouts, MBA

Correct Address (Again)...

184 Cedarview Dr. Shepherdsville, KY 40165

Jackie's full legal name (Again)...

Jaqquelyn A. Fouts

All Rights Reserved.

File Hashes:

14-2025-09-02-Grounded-Serpent-Fouts ADA letter-Signed-Dr-Brown (1).PDF

7E99CF7F133552EDE4B66E2B388694
8EA6DB139A89D4C90FB2A9CD571564473B

A5-03-01-DOCKET 74 - DR-VAUGHN-MEDICAL-LETTER-REGARDING-FRAGILITY-AND-HOUSING-ACCOMMODATIONS.pdf

CAA6889CCA94C5BF54079D8BF042A7
45878932A13988F04EFA514BC52C8971C2

A7-2025-11-13-CHARACTER-REFERENCE-WITNESS-WHITNEY-PETTERS-NURSE-JFouts_20251112 (1) (1).pdf

A671C677416D664C0124888C29F137
9D96C81A73B4B3F8A4B2B94F8195F7B76D

A7-2025-11-13-CHARACTER-REFERENCE-WITNESS-WHITNEY-PETTERS-NURSE-JFouts_20251112 (1).pdf

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9D96C81A73B4B3F8A4B2B94F8195F7B76D

A7-2025-11-13-CHARACTER-REFERENCE-WITNESS-WHITNEY-PETTERS-NURSE-JFouts_20251112 - Copy.pdf\

A671C677416D664C0124888C29F137
9D96C81A73B4B3F8A4B2B94F8195F7B76D

A7-2025-11-13-CHARACTER-REFERENCE-WITNESS-WHITNEY-PETTERS-NURSE-JFouts_20251112.pdf

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9D96C81A73B4B3F8A4B2B94F8195F7B76D

E4B-14-2025-09-14-Dr-Shaikun-ADA-Notes-How-Important-Stability-and-Medical-Access-ADA-Accommodations-and-Dangers (1).PDF

B7E2ACCB9C6C46E0A69C677DFE5FA6
CD7CFD2ABC9CB866F7E57E8623FDFA1D0F

E4B-14-2025-09-14-Dr-Shaikun-ADA-Notes-How-Important-Stability-and-Medical-Access-ADA-Accommodations-and-Dangers.PDF

B7E2ACCB9C6C46E0A69C677DFE5FA6
CD7CFD2ABC9CB866F7E57E8623FDFA1D0F

For verification sake, please note that I have also copied a screenshot showing the file sizes transmitted below, as well as included them in text above...but see bottom of email for actual attachments.

Due to ongoing interference particularly in light of everything that has happened regarding CHFS and other agencies, I am including file hashes as well to ensure the integrity of the files sent/received.

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Sincerely,

/s/ John R. Fouts

John R. Fouts, MBA
Son of a Vietnam-War-Era Veteran
Founder, *Upward Spirals Association* (508(c)(1)(A) Spiritual Faith-Based Organization – Protected under RFRA)
Federal SSA SSDI Recipient – Protected under ADA, VAWA, Section 504, and 1915(c)
Mainstream Voucher Holder – HUD/IHCDA/CASI Program

Email: **icreateupwardspirals@gmail.com**
Alternate: **torchoftruth@zohomail.com**

Phone (Text Only – ADA Accommodation): **502.956.0052**
Voice calls & voicemails will be ignored
Fax (HIPAA Compliant): **604.641.2805**

Evidence archive (prior to block on saving):
https://archive.org/details/@jfouts1979

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